

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

FEB 09 2016  
JULIA C. DUDLEY, CLERK  
BY: *HM* *Denosed*  
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ROBERT A. UNGER, ) Civil Action No. 7:15-cv-00592  
Petitioner, )  
 )  
v. )  
 )  
JAME WHITLEY, )  
Respondent. ) ORDER  
 )  
 ) By: Hon. Jackson L. Kiser  
 ) Senior United States District Judge

In accordance with the written Memorandum Opinion entered this day, it is hereby

**ORDERED**

that the petition for a writ of habeas corpus is **DISMISSED** without prejudice; a certificate of appealability is **DENIED**; and the case is **STRICKEN** from the active docket of the court.

The Clerk shall send copies of this Order and the accompanying Memorandum Opinion to Petitioner.

ENTER: This 9<sup>th</sup> day of February, 2016.

*Jackson L. Kiser*  
Senior United States District Judge